

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 6820 of 2018**

Pramod Kumar Atami S/o Lakmu Ram Atami, Aged About 46 Years, Block Division Katekalyan Primary School Mokhpal Nakapara Ntewada District- South Bastar Dantewada, R/o Village Ronje Tahsil Geedam, District- South Bastar Dantewada, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Tribal Welfare, Mantralaya, Naya Raipur, P.S. Rakhi, District- Raipur, Chhattisgarh
2. Collector, South Bastar Dantewada Office At Dantewada, District- South Bastar Dantewada, Chhattisgarh
3. The Assistant Commissioner, Tribal Welfare Department Dantewada, District- South Bastar Dantewada, Chhattisgarh
4. K. Dayasagar S/o Vireshyam, Aged About 50 Years, Working As U.D.I. At Government Middle School Tuswal, Block Bairamgarh District- Beejapur, Chhattisgarh

----Respondents

For Petitioner	:	Mr. P.K. Tulsyan, Advocate
For State	:	Mr. S. P. Kale, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11/10/2018**

1. The grievance of the petitioner in the present writ petition is the non-granting of the advantage of two advance increments payable to the petitioners after having put about 20 years of service or 50 years of age, being untrained teacher.

2. The contention of the petitioner is that the respondent No.4 on an earlier occasion had preferred a writ petition i.e. WPS No. 4857/2014 and the writ petition got disposed off with a direction to make a representation to the authorities, who in turn would decide the same vide order dated 18.09.2014. Further contention of the petitioner is that pursuant to the disposal of the said writ petition, the respondent No.4 had made a representation to the authorities, which in turn has been considered and the respondent No.4 has been granted the advantage of two advance increments in spite of the fact that respondent No.4 is similarly placed as that of the petitioner. He accordingly submits that let the claim of the petitioner also be considered in the light of the benefits provided to the respondent No.4 and if the department finds that the petitioner is similarly placed, then appropriate order be passed, so far as his entitlement is concerned.
3. The State counsel does not dispute the aforesaid averments and also does not have any grievance, if the writ petition is disposed off with a direction to the respondent No.1 to take a decision in this regard.
4. Given the facts, let the petitioner make a fresh detailed representation to the respondent No.1 giving details of the benefit that has been granted to respondent No.4 and the respondent No.1 in turn shall peruse and scrutinize the records and verify that the petitioner is similarly placed as that of the respondent No.4 and thereafter pass an appropriate order, so far as the entitlement for two advance increments to the petitioner is concerned. While deciding the claim of the petitioner, the authorities concerned may

take note of the circulars of the State Government dated 22.11.1979.

5. Let this exercise be completed within a period of 90 days from the date of receipt of the representation.
6. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge